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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO.
10/658,929	09/09/2003	Kevin Lym	SONY-26100	3117

7590   06/18/2010

Jonathan O. Owens
HAVERSTOCK & OWENS LLP
162 North Wolfe Road
Sunnyvale, CA 94086

RECD JUN 21 2010

EXAMINER
MENDOZA, JUNIOR O

ART UNIT	PAPER NUMBER
2423	

MAIL DATE	DELIVERY MODE
06/18/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/658,929	LYM, KEVIN
	Examiner	Art Unit
	JUNIOR O. MENDOZA	2423

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 March 2010</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-54</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-54</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 03/09/2010 have been fully considered but they are

not persuasive.

     Regarding **claims 1, 12, 22, 31, 41, 45, 52, 53 and 54**, applicant argues that

Huang in view of Balog do not teach "a routing software that detects one or more

secondary devices coupled to a computer device".

          However, the examiner respectfully disagrees with the applicant. Huang

          discloses a system for sorting and organizing content based on the content type,

          where the content is sorted and stored locally in different memory clusters by

          automatically creating folders based on the media file type, such as audio, image

          or video, abstract and paragraph [0016]. Although, the system of Huang seems

          to distribute the content only within local memory, it is well known to also

          distribute content by type to detected devices as shown by Balog.

          In a similar field on endeavor, Balog teaches the method of delivering

          content to a plurality of external devices based on the content type and preset

          user preferences, see abstract paragraphs [0024] [0030] and figure 2.

          Furthermore, the routine software represented by figure 5 clearly depicts in steps

          120 and 130 that a system routing software <u>creates a list of available devices 16</u>

          which may receive content and a mobility server 34 determines 130 the status of

          the available devices 16, paragraphs [0023] [0029] [0036] figure 5. In other

words, the dynamic creation of a list of available devices clearly detects the presence of such devices. Therefore, the combination of Huang and Balog evidently disclose "a routing software that detects one or more secondary devices coupled to a computer device".

Regarding **claims 1, 12, 22, 31, 41, 45 and 52**, applicant argues that Huang in view of Balog do not teach "comparing the digital information type with a set of values that determine where the digital information is to be transmitted".

However, the examiner respectfully disagrees with the applicant. Huang discloses a system for sorting and organizing content based on the content type, where the content is sorted and stored locally in different memory clusters by automatically creating folders based on the media file type, such as audio, image or video, abstract and paragraph [0016]. Balog discloses a system and software for routing content in a local network, such as that of figure 6, to different user devices 50 and 48 by implementing a dynamic routing which correlates the content type to different device profile values 28, which may be set by a user, paragraphs [0030] [0031] [0040]. Each of the devices 16 has specific characteristics such as a device address, model, etc (i.e. set of values), which is used in order to compare and identify the device to which data should be transmitted, paragraphs [0023] [0036] figure 2.

Furthermore, Balog teaches distributing content, such as video, audio,

photos, etc, to devices 16 after determining the device's availability by

establishing which devices are connected to service provider 42 at a given

moment, paragraphs [0023] [0036] figures 5 and 6. Therefore, the combination of

Huang and Balog evidently disclose "comparing the digital information type with a

set of values that determine where the digital information is to be transmitted".

2.   Applicant's arguments with respect to claims 53 and 54 have been considered

but are moot in view of the new ground(s) of rejection. Since the applicant has further

defined the invention by amending "media type" to "data format".

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   **Claims 1, 5, 6 – 9, 11, 12, 16 – 22, 26 – 30, 41 and 52** are rejected under 35

U.S.C. 103(a) as being unpatentable over Huang (Pub No US 2004/0098379) in view of

Balog et al. (Pub No US 2002/0022453). Hereinafter referenced as Huang and Balog,

respectively.

Regarding **claim 1**, Huang discloses an apparatus for automatically routing digital information (Paragraph [0016]), comprising:

a. an interface coupled to receive downloaded digital information having a type (Paragraph [0018]);

b. a storage device coupled to the interface to store the digital information (Paragraphs [0016] [0021] also exhibited on fig 3);

a controller coupled to the storage device to automatically sort the digital information based on the type to one or more memory locations (Paragraphs [0016] [0021] also exhibited on figures 3 and 4).

However it is noted that Huang fails to explicitly disclose a routing software, wherein the routing software detects one or more secondary devices coupled to a computing device and to compare the type with a set of values that determine where the digital information is to be transmitted; and selectively transmitting digital information based on the type to the one or more secondary devices coupled to the computing device detected by the routing software.

Nevertheless, in a similar field of endeavor Balog discloses a routing software, wherein the routing software detects one or more secondary devices coupled to a computing device and to compare the type with a set of values that determine where the digital information is to be transmitted (Paragraphs [0030] [0031] [0040] figure 6; routing content in a local network of figure 6 by implementing a dynamic routing which correlates the content to device profile values 28);

and selectively transmitting digital information based on the type to the one or
more secondary devices (Paragraph [0024] figures 1 and 6; distributing content, e.g.
video files, audio files, photos, etc, to devices 16 based on file type and device
capabilities)

coupled to the computing device detected by the routing software (Paragraphs
[0023] [0036] figure 5; determined device status information, steps 120 and 130).

Therefore, it would have been obvious to one of ordinary skill in the art at the
time the invention was made to modify Huang by specifically providing such element, as
taught by Balog, for the purpose of allowing the distribution of content to external
devices which are best suited for processing the content, and even allowing users to set
preference tables for user convenience and manageability of content.

Regarding **claim 5**, Huang and Balog disclose the apparatus as claimed in claim
1; moreover, Huang discloses that the digital information comprises media content
including music, videos, and data (Paragraph [0016]).

Regarding **claim 6**, Huang and Balog disclose the apparatus as claimed in claim
1; moreover, Huang disclose that the controller utilizes a routing table to route the digital
information (Paragraph [0021] also exhibited on fig 3; content is automatically
distributed to different destination paths within memory; i.e. folders, depending on the
file type).

However it is noted that Huang is silent to explicitly disclose utilizing a routing table to route the digital information.

Nevertheless, in a similar field of endeavor Balog discloses utilizing a routing table to route digital information (Paragraphs [0031] [0034]; user may define a list of preferred devices and create a mapping of the type of content that should be routed to each devices).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Huang by specifically providing such element, as taught by Balog, for the purpose of allowing the distribution of content to external devices which are best suited for processing the content, and even allowing users to set preference tables for user convenience and manageability of content.

Regarding **claim 7**, Huang and Balog disclose the apparatus as claimed in claim 6; moreover, Huang disclose that the routing table further comprises a file type column and a memory location column (Paragraph [0021] also exhibited on fig 3, the location, i.e. folder, of each data type depends and corresponds to the data type). Furthermore, Balog also discloses that the routing table comprises a file type column and a location column (Paragraphs [0031] [0034]; user may define a list of preferred devices and create a mapping of the type of content that should be routed to each devices).

Regarding **claim 8**, Huang and Balog disclose the apparatus as claimed in claim 6; moreover, Huang disclose that the routing table utilizes meta data information within the digital information to route the digital information (Paragraphs [0016] [0020] and [0021] also exhibited on fig 3).

Regarding **claim 9**, Huang and Balog disclose the apparatus as claimed in claim 6; moreover, Huang disclose that the routing is user-defined (Paragraphs [0025] and [0026]). Furthermore, Balog also discloses that the routing table may be user defined (Paragraphs [0031] [0034]; user may define a list of preferred devices and create a mapping of the type of content that should be routed to each devices).

Regarding **claim 11**, Huang and Balog disclose the apparatus as claimed in claim 1; however, it is noted that Huang fails to explicitly disclose that the secondary devices include one or more of an mp3 player, a video recorder, and a handheld.

Nevertheless, in a similar field of endeavor Balog discloses that secondary devices include one or more of an mp3 player, a video recorder, and a handheld (Paragraph [0022] figure 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Huang by specifically providing such element, as taught by Balog, for the purpose of supporting different types of content to be processed by the same device, which would motivate the user to buy a device capable of

multitasking, sorting and distributing different types of data implementing the same
device.

Regarding **claim 12**, Huang discloses an apparatus for automatically routing
digital information from a computing device to one or more memory locations
(Paragraph [0016]), comprising:

an interface coupled to receive downloaded digital information having a type
(Paragraph [0018]);

storage device coupled to the interface to store the digital information
(Paragraphs [0016] [0021] also exhibited on fig 3);

a controller coupled to the storage device to automatically determine which type
of digital information is routed to which memory location (Paragraphs [0016] [0021] also
exhibited on figures 3 and 4);

a controller coupled to the storage device to automatically distribute the digital
information to the one or more memory locations based on the type (Paragraphs [0016]
[0021] also exhibited on fig 3).

However it is noted that Huang fails to explicitly disclose a routing software,
wherein the routing software detects one or more secondary devices coupled to a
computing device and to compare the type with a set of values that determine where the
digital information is to be transmitted; and a controller to selectively transmit digital

information based on the type to one or more secondary devices coupled to a

computing device detected by the routing software.

Nevertheless, in a similar field of endeavor Balog discloses a routing software,

wherein the routing software detects one or more secondary devices coupled to a

computing device and to compare the type with a set of values that determine where the

digital information is to be transmitted (Paragraphs [0030] [0031] [0040] figure 6; routing

content in a local network of figure 6 by implementing a dynamic routing which

correlates the content to device profile values 28);

and a controller to selectively transmit digital information based on the type to

one or more secondary devices (Paragraph [0024] figures 1 and 6; distributing content,

e.g. video files, audio files, photos, etc, to devices 16 based on file type and device

capabilities)

coupled to a computing device detected by the routing software (Paragraphs

[0023] [0036] figure 5; determined device status information, steps 120 and 130).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Huang by specifically providing such element, as

taught by Balog, for the purpose of allowing the distribution of content to external

devices which are best suited for processing the content, and even allowing users to set

preference tables for user convenience and manageability of content.

Regarding **claims 16, 17, 18, 19, 20 and 21**, Huang and Balog disclose all the limitations of claims 16, 17, 18, 19, 20 and 21; therefore, claims 16, 17, 18, 19, 20 and 21 are rejected for the same reasons stated in claims 5, 6, 7, 8, 9 and 11, respectively.

Regarding **claims 22, 26, 27, 28, 29 and 30**, Huang and Balog disclose all the limitations of claims 22, 26, 27, 28, 29 and 30; therefore, claims 22, 26, 27, 28, 29 and 30 are rejected for the same reasons stated in claims 12, 5, 7, 8, 9 and 11, respectively.

Regarding **claim 41**, Huang discloses a method for routing digital information from a computing device to one or more memory locations (Paragraph [0016]), comprising:

receiving the digital information having the type (Paragraph [0018]);

automatically sorting the digital information based on the type (Paragraphs [0016] [0021] also exhibited on fig 3);

and automatically distributing the digital information to a corresponding one or more of the memory locations based on the type (Paragraphs [0016] [0021] fig 3).

However it is noted that Huang fails to explicitly disclose routing digital information based on a routing software that compares a type with a set of values that determine where the digital information is to be transmitted; automatically detecting the secondary devices coupled to the computing device; and transmitting the digital

information based on the type to a corresponding one or more secondary device
coupled to the computing device detected by the routing software.

Nevertheless, in a similar field of endeavor Balog discloses routing digital
information based on a routing software that compares a type with a set of values that
determine where the digital information is to be transmitted (Paragraphs [0030] [0031]
[0040] figure 6; routing content in a local network of figure 6 by implementing a dynamic
routing which correlates the content to device profile values 28);

automatically detecting the secondary devices coupled to the computing device
(Paragraphs [0023] [0029] [0036] figure 5; routine software represented by figure 5
clearly depicts in steps 120 and 130 that a system routing software creates a list of
available devices 16 which may receive content and a mobility server 34 determines
130 the status of the available devices 16);

and transmitting the digital information based on the type to a corresponding one
or more secondary device (Paragraph [0024] figures 1 and 6; distributing content, e.g.
video files, audio files, photos, etc, to devices 16 based on file type and device
capabilities)

coupled to the computing device detected by the routing software (Paragraphs
[0023] [0036] figure 5; determined device status information, steps 120 and 130).

Therefore, it would have been obvious to one of ordinary skill in the art at the
time the invention was made to modify Huang by specifically providing such element, as
taught by Balog, for the purpose of allowing the distribution of content to external

devices which are best suited for processing the content, and even allowing users to set

preference tables for user convenience and manageability of content.

Regarding **claim 52,** Huang and Balog disclose all the limitations of claim 52;

therefore, claim 52 is rejected for the same reasons stated in claims 1 and 5.

5.   **Claims 2, 13, 23, 31 – 33, 37, 40 and 42** are rejected under 35 U.S.C. 103(a) as

being unpatentable over Huang in view of Balog further in view of Malek et al (Patent

No US 6,253,207). Hereinafter referenced as Malek.

Regarding **claim 2,** Huang and Balog disclose the apparatus as claimed in claim

1; however, it is noted that Huang and Balog fail to explicitly disclose that the digital

information is downloaded from a server to the storage device.

In a similar field of endeavor Malek discloses that the digital information is

downloaded from a server to the storage device (Server [120] may be embodied as a

file server, a music server or a video server, column 4 lines 46-51 figures 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Huang and Balog by specifically providing such

element, as taught by Malek, for the purpose of providing an external source of

information which has the potential to provide enormous amounts of data which can be
requested by the user at any time.

Regarding **claims 13 and 23,** Huang, Balog and Malek disclose all the limitations
of claims 13 and 23; therefore, claims 13 and 23 are rejected for the same reasons
stated in claim 2.

Regarding **claim 31**, Huang discloses a network of devices for automatically
routing digital information (Paragraph [0016]), comprising:

a computing device for obtaining and automatically routing the digital information
based on the type (Paragraphs [0016] [0018] [0021] also exhibited on figures 3 and 4);

one or more memory locations for receiving the digital information from the
computing device (Paragraphs [0016] [0021] also exhibited on figures 3 and 4).

However it is noted that Huang fails to explicitly disclose a computing device for
transmitting digital information based on the type, the computer device comprising
routing software to compare a type with a set of values that determine where the digital
information is to be transmitted;

one or more secondary devices coupled to the computing device for receiving the
digital information; wherein the routing software detects the secondary devices coupled
to a computing device.

Nevertheless, in a similar field of endeavor Balog discloses a computing device

for transmitting digital information based on the type, the computer device comprising

routing software to compare a type with a set of values that determine where the digital

information is to be transmitted (Paragraphs [0030] [0031] [0040] figure 6; routing

content in a local network of figure 6 by implementing a dynamic routing which

correlates the content to device profile values 28);

one or more secondary devices coupled to the computing device for receiving the

digital information; wherein the routing software detects the secondary devices coupled

to a computing device (Paragraph [0024] figures 1 and 6; distributing content, e.g.

video files, audio files, photos, etc, to devices 16 based on file type and device

capabilities).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Huang by specifically providing such element, as

taught by Balog, for the purpose of allowing the distribution of content to external

devices which are best suited for processing the content, and even allowing users to set

preference tables for user convenience and manageability of content.

However it is noted that Huang and Balog fail to explicitly disclose a computing

device coupled to the server, the server including digital information.

Nevertheless, in a similar field of endeavor Malek discloses a computing device

coupled to the server, the server including digital information (Server [120] may be

embodied as a file server, a music server or a video server, where the multimedia traffic

handler [400] routes data; column 4 lines 46-51 also exhibited on figures 1, 3 and 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Huang and Balog by specifically providing such element, as taught by Malek, for the purpose of providing an external source of information which has the capabilities of transmitting vast amounts of data to different users.

Regarding **claims 32, 33 and 40**, Huang, Balog and Malek disclose all the limitations of claims 32, 33 and 40; therefore, claims 32, 33, 34 and 40 are rejected for the same reasons stated in claims 5, 1 and 11, respectively.

Regarding **claim 37**, Huang, Balog and Malek disclose the network of devices as claimed in claim 31; moreover, Huang discloses that the computing device is a personal computer (Paragraphs [0016] [0029]). Furthermore, Balog also discloses that the computing device is a personal computer (Paragraph [0040]).

Regarding **claim 42**, Huang, Balog and Malek disclose all the limitations of claim 42; therefore, claim 42 is rejected for the same reasons stated in claim 2.

6.   **Claims 3, 4, 14, 15, 24 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Balog further in view of Mercer et al (Patent No US 7,043,477). Hereinafter referenced as Mercer.

Regarding **claim 3**, Huang and Balog disclose the apparatus as claimed in claim 1; however, it is noted that Huang and Balog fail to explicitly disclose that the storage device is a hard disk drive.

Nevertheless, in a similar field of endeavor Mercer discloses that the storage device is a hard disk drive (A computer includes a hard disk drive [154] for storage, column 17 lines 48-64 also exhibited on figure 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Huang and Balog by specifically providing such element, as taught by Mercer, for the purpose of providing non-volatile storage that will store content.

Regarding **claim 4**, Huang and Balog disclose the apparatus as claimed in claim 1; however, it is noted that Huang and Balog fail to explicitly disclose that the storage device is a semiconductor memory.

Nevertheless, in a similar field of endeavor Mercer discloses that the storage device is a semiconductor memory (A computer includes a system memory [134] which consist of ROM [138] and RAM [140], column 17 lines 34-47 figure 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Huang and Balog by specifically providing such element, as taught by Mercer, for the purpose of providing volatile storage that will

momentarily store or buffer data in order to allow a computer system to process

information efficiently.

Regarding **claims 14 and 15**, Huang, Balog and Mercer disclose all the

limitations of claims 14 and 15; therefore, claims 14 and 15 are rejected for the same

reasons stated in claims 3 and 4, respectively.

Regarding **claims 24 and 25**, Huang, Balog and Mercer disclose all the

limitations of claims 24 and 25; therefore, claims 24 and 25 are rejected for the same

reasons stated in claims 3 and 4, respectively.

7.   **Claims 10, 43, 44, 45 and 47 – 50** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Huang in view of Balog further in view of Robbin et al. (Pub No US

2003/0167318). Hereinafter, referenced as Robbin.

Regarding **claim 10**, Huang and Balog disclose the apparatus as claimed in

claim 1; moreover, Balog discloses that a controller that detects one or more secondary

devices (Paragraphs [0023] [0036] [0038] figure 5; determined device status

information, steps 120 and 130).

However it is noted that Huang and Balog are silent to explicitly disclose

automatically detecting one or more secondary devices.

Nevertheless, in a similar field on endeavor Robbin discloses automatically

detecting one or more secondary devices (Paragraphs [0010] [0031]; detecting device).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Huang and Balog by specifically providing such

element, as taught by Robbin, for the purpose of automatically updating and transferring

the new content, which allows the device to self update every time it gets connected to

a computer, saving a lot of time to the user.

Regarding **claim 43,** Huang, Balog and Robbin disclose all the limitations of

claim 43; therefore, claim 43 is rejected for the same reasons stated in claim 10.

Regarding **claim 44,** Huang and Balog disclose the apparatus as claimed in

claim 41; however, it is noted that Huang and Balog fail to explicitly disclose storing the

digital information in the computing device until the corresponding one or more of the

secondary devices is coupled to the computing device.

Nevertheless, in a similar field on endeavor Robbin discloses storing the digital

information in the computing device until the corresponding one or more of the

secondary devices is coupled to the computing device (Paragraph [0033] fig 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Huang and Balog by specifically providing such

element, as taught by Robbin, for the purpose of automatically updating and transferring

the new content, which allows the device to self update every time it gets connected to

a computer, saving a lot of time to the user.

Regarding **claim 45**, Huang discloses a method for routing digital information

from a computing device to one or more memory locations (Paragraph [0016]),

comprising:

receiving the digital information having a type (Paragraph [0018]);

automatically sorting the digital information based on the type (Paragraphs

[0016] [0021] also exhibited on fig 3);

and automatically distributing the digital information to a corresponding one or

more of the memory locations based on the type (Paragraphs [0016] [0021] fig 3).

However it is noted that Huang fails to explicitly disclose detecting secondary

devices coupled to the computing device with routing software that compares the type

with a set of values that determine where the digital information is to be transmitted; and

transmitting the digital information to a corresponding one or more secondary device.

Nevertheless, in a similar field of endeavor Balog discloses detecting secondary

devices coupled to the computing device (Paragraphs [0023] [0036] figure 5;

determined device status information, steps 120 and 130)

with routing software that compares the type with a set of values that determine

where the digital information is to be transmitted (Paragraphs [0030] [0031] [0040] figure

6; routing content in a local network of figure 6 by implementing a dynamic routing

which correlates the content to device profile values 28);

and transmitting the digital information to a corresponding one or more

secondary device (Paragraph [0024] figures 1 and 6; distributing content, e.g. video

files, audio files, photos, etc, to devices 16 based on file type and device capabilities).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Huang by specifically providing such element, as

taught by Balog, for the purpose of allowing the distribution of content to external

devices which are best suited for processing the content, and even allowing users to set

preference tables for user convenience and manageability of content.

However it is noted that Huang and Balog are silent to explicitly disclose

automatically detecting secondary devices.

Nevertheless, in a similar field on endeavor Robbin discloses automatically

detecting secondary devices (Paragraphs [0010] [0031]; detecting device).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Huang and Balog by specifically providing such

element, as taught by Robbin, for the purpose of automatically updating and transferring

the new content, which allows the device to self update every time it gets connected to

a computer, saving a lot of time to the user.

Regarding **claims 47, 48, 49 and 50**, Huang, Balog and Robbin disclose all the

limitations of claims 47, 48, 49 and 50; therefore, claims 47, 48, 49 and 50 are rejected

for the same reasons stated in claim 44.

8.   **Claims 34 and 51** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Huang, Balog and Malek further in view of Robbin.

Regarding **claim 34**, Huang, Balog, Malek and Robbin disclose all the limitations

of claim 34; therefore, claim 34 is rejected for the same reasons stated in claim 10.

Regarding **claim 51**, Huang, Balog, Malek and Robbin disclose all the limitations

of claim 51; therefore, claim 51 is rejected for the same reasons stated in claim 44.

9.   **Claims 35, 36, 38 and 39** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Huang, Balog, Malek further in view of Mercer.

Regarding **claims 35 and 36,** Huang, Balog and Mercer disclose all the

limitations of claims 35 and 36; therefore, claims 35 and 36 are rejected for the same

reasons stated in claims 3 and 4, respectively.

Regarding **claim 38**, Huang, Balog and Malek disclose the network of devices as

claimed in claim 31; however, it is noted that Huang, Balog and Malek fail to explicitly

disclose that the computing device is a set-top box.

Nevertheless, in a similar field of endeavor Mercer discloses that the computing

device is a set-top box (Computer [130] can also be a set top box, column 19 lines 10-

28 also exhibited on figure 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Huang, Balog and Malek by specifically

providing such element, as taught by Mercer, for the purpose of providing more

advertisement flexibility from a sales point of view, in other words, using a set top box

as a data sorter would allow more marketability due to the additional functions that such

device could be able to process.

Regarding claim 39, Huang, Balog and Malek disclose the network of devices as

claimed in claim 31; however, it is noted that Huang, Balog and Malek fail to explicitly

disclose that the computer device further comprises a modem device for coupling to the

server.

Nevertheless, in a similar field of endeavor Mercer discloses that the computer

device further comprises a modem device for coupling to the server (Computer [130]

includes a modem [178] for establishing communication over a network, column 18 lines

40-55 also exhibited on figure 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Huang, Balog and Malek by specifically

providing such element, as taught by Mercer, for the purpose of providing a way to

communicate to different remote server over long distances at reasonable speeds,

which allows a user to transmit and receive data as needed.

10.   **Claim 46** is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang,

Balog and Robbin further in view of Malek.

Regarding **claim 46**, Huang, Balog, Robbin and Malek disclose all the limitations

of claim 46; therefore, claim 46 is rejected for the same reasons stated in claim 2.

11.   **Claims 53 and 54** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Huang in view of Balog further in view of Colson et al. (Patent No US 6,708,217).

Hereinafter referenced as Colson.

Regarding **claim 53,** Huang and Balog disclose all the limitations of claim 53;

therefore, claim 53 is rejected for the same reasons stated in claim 41. Huang and

Balog disclose sorting and distributing digital information based on media type;

however, they are silent to disclose distributing digital information based on data format.

Nevertheless, in a similar field of endeavor Colson discloses distributing digital information based on data format (See abstract, col. 7 lines 45-67 and figure 3; distributing and routing data to different rendering devices based on content format as shown by routing table 300).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Huang and Balog by specifically providing such element, as taught by Colson, for the predictable result of distributing content to devices which have the necessary capabilities to render a given digital file in an efficient manner.

Regarding **claim 54,** Huang and Balog disclose all the limitations of claim 54; therefore, claim 54 is rejected for the same reasons stated in claims 12 and 7. Huang and Balog disclose sorting and distributing digital information based on media type; however, they are silent to disclose distributing digital information based on data format.

Nevertheless, in a similar field of endeavor Colson discloses distributing digital information based on data format (See abstract, col. 7 lines 45-67 and figure 3; distributing and routing data to different rendering devices based on content format as shown by routing table 300). Furthermore, Colson also discloses a routing table with a data format column (content type 301) and a device column (content rendered 302) (Figure 3; table 300).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Huang and Balog by specifically providing such element, as taught by Colson, for the predictable result of distributing content to devices which have the necessary capabilities to render a given digital file in an efficient manner.

Conclusion

12.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

    A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

    Any inquiry concerning this communication or earlier communications from the

examiner should be directed to JUNIOR O. MENDOZA whose telephone number is

(571)270-3573. The examiner can normally be reached on Monday - Friday 9am - 5pm

EST.

    If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew Koenig can be reached on (571)272-7296. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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<div style="margin-left: 50%;">

Junior O Mendoza
Examiner
Art Unit 2423

</div>

/J. O. M./
June 4, 2010

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423

		Application/Control No.	Applicant(s)/Patent Under Reexamination
Notice of References Cited		10/658,929	LYM, KEVIN
		Examiner	Art Unit	
		JUNIOR O. MENDOZA	2423	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,708,217 B1	03-2004	Colson et al.	709/231
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		10658929
	Filing Date		2003-09-09
	First Named Inventor	Kevin Lym	
	Art Unit		2423
	Examiner Name	Mendoza, Junior O.	
	Attorney Docket Number		SONY-26100

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	1	20060002340	A1	2006-01-05	Criss et al.	
	2	20050055687	A1	2005-03-10	Mayer	
	3	20020120885	A1	2002-08-29	Choi et al.	
	4	20010029178	A1	2001-10-11	Criss et al.	

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	1	5835911		1998-11-10	Nakagawa et al.	

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